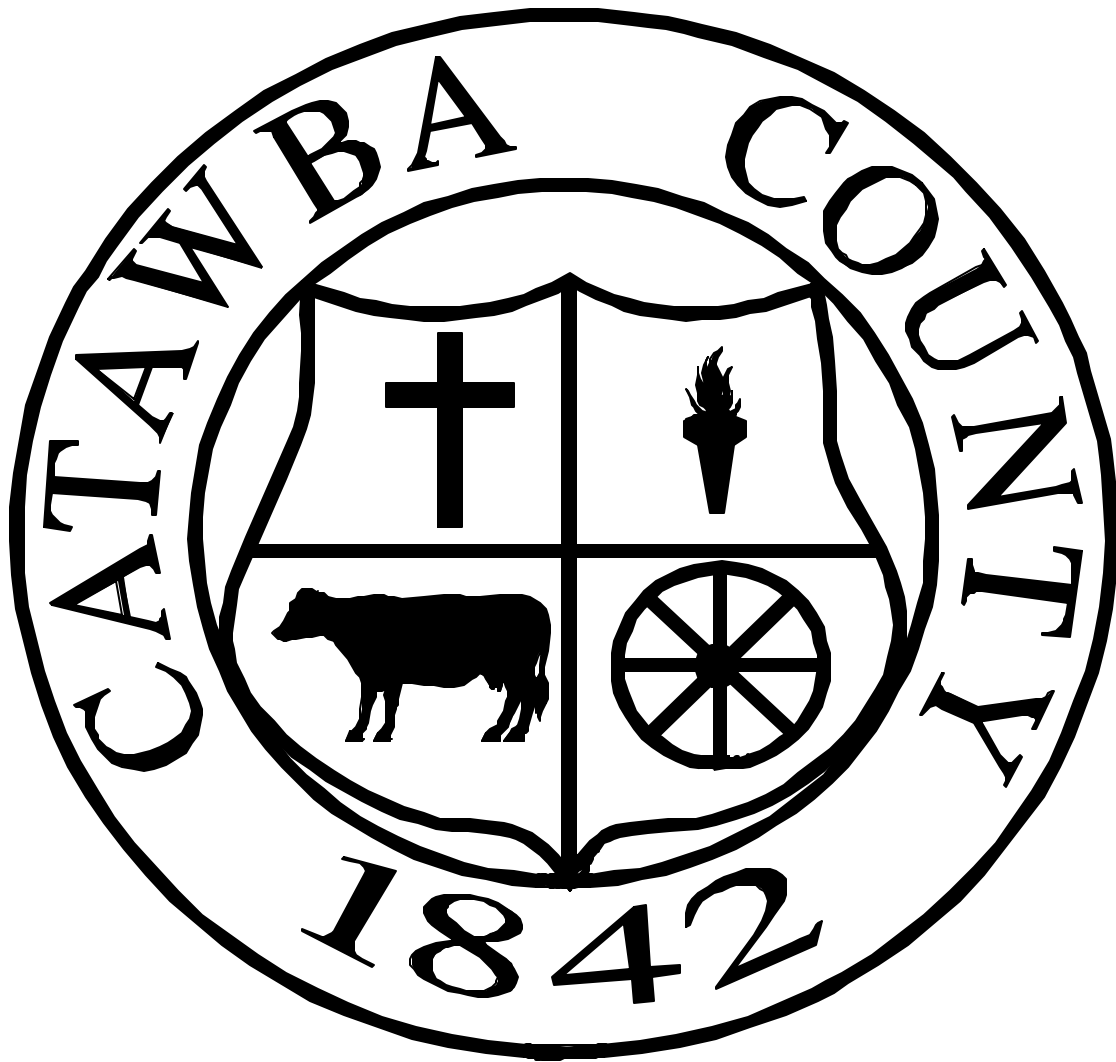


ARTICLE XIII. DIVISION 2. LAKE NORMAN SURFACE WATER DISTRICT



Current as of 7/01/2003

DIVISION 2. LAKE NORMAN SURFACE WATER DISTRICT (SPECIAL DISTRICT-1)

Sec. 44-671. Statement of intent.

Lake Norman is the largest of the manmade reservoirs in the Catawba River system, which flows through the North Carolina Piedmont into South Carolina. The lake, constructed in 1962 to provide water, electric power and recreation for the region, has a surface area of 32,510 acres. Portions of Lake Norman extend into the southeastern portion of the county, where large tracts of land adjoining the lake have been committed to development. Duke Power Company owns extensive acreage to serve its power plant located on the shores of the lake. The recreational and scenic opportunities around the lake have been recognized by developers, and numerous residential and second home communities have been created along the lakeshore. It is the intent of this chapter to protect the Lake Norman surface water district for the enhancement of recreation, water safety, and scenic beauty on and around Lake Norman.

(Code 1995, § 515.239(A); Ord. No. 2002-04, § A, 7-8-2002)

Sec. 44-672. Boundaries.

- (a) This division shall apply to the surface waters of Lake Norman lying below the contour elevation 760 feet above mean sea level USGS datum and to land located within 1,000 feet of the shoreline on such lake when measured from full pond level; contour elevation 760 feet above mean sea level USGS datum.
- (b) Any structures or manmade improvements which are to be placed on, above, within, or adjacent to the waters of Lake Norman which by their placement affect the use of waters, including but not limited to piers, floating pier extensions, floating boathouses, moorings or floats, marine railways, hoists and lifts, breakwaters, fillings, dredging, signs, lighting, and overhead transmission lines, public and private swimming areas and private bridges, shall be subject to this division.
- (c) All dimensional requirements in this division, when reference is made to the water surface, shall be measured from the full pond level, elevation 760 feet above mean sea level USGS datum.

(Code 1995, § 515.239(B))

Sec. 44-673. Regulations.

The following shall apply in the Lake Norman surface water district (special district-1):

- (1) *Piers and docks.* Piers and docks shall be subject to the following:
 - a. Piers may extend over the water a maximum distance of 120 feet from the shore.

- b. In no event shall a pier, when located in a cove, extend more than one-third the width of the cove measured from the shore at the point of the proposed construction to the nearest point on the opposite shore.
 - c. Piers shall have two white reflectors, a minimum of six inches above the 760-foot contour, on each farthestmost corner of the pier in the water, reflecting light parallel to the shore in each direction, and also directly across the water.
 - d. White reflectors shall also be placed at intervals of not more than 15 feet six inches above the water, on each side of the pier beginning at its outermost extension into Lake Norman, extending to the 760-foot contour on the shore.
- (2) *Moorings and floats.* When placed in the lake for navigational purposes, moorings and floats shall be so placed only with the expressed written approval of the Lake Norman Marine Commission or state wildlife commission. When placed for the purpose of mooring boats or other legal and authorized floating objects, the moorings shall be separated on every side from any other mooring by a distance of 50 feet and located so as to permit unobstructed passage of through boats. They shall be anchored in such a manner as not to deny or obstruct access to Lake Norman from boat docks, piers or boat-launching ramps.
- (3) *Marine railways.* Marine railways shall have permanent signs, complying with the requirements of the uniform marking system, designating the location of the marine railway. No such installation shall extend above the normal or natural lakebed at the time of construction more than 18 inches, between a horizontal measurement extending from the 760-foot contour to a water depth of 15 feet below the 760-foot contour. The location of railways and signs shall be approved by the Lake Norman Marine Commission.
- (4) *Breakwaters.* Breakwaters, when constructed for the purpose of protecting docks, piers, or other facilities, shall be so placed as to protect the particular facility for its width only and shall not offer area protection which might overly obstruct passage on the lake. Further, they shall be so located and marked as not to be a hazard to boating at any time. Breakwaters shall be approved by the Lake Norman Marine Commission prior to installation.
- (5) *Hoists and lifts.* Prior to installation, all hoists and lifts, due to the unique nature of their construction, shall be determined by the county building inspector to conform to all federal and state requirements applying thereto.
- (6) *Filling.* All fill projects shall be approved by the Lake Norman Marine Commission. All fill placed above the water level and

adjacent to Lake Norman shall be faced with riprap to prevent fill from being eroded into the lake. All fill shall be sufficiently compacted to reach 90 percent maximum dry density, using the standard proctor test.

- (7) *Dredging.* All dredging shall be conducted in such a way that the spoil therefrom is not placed back in the lake and shall be approved by the Lake Norman Marine Commission and other agencies as required prior to commencement.
 - (8) *Signs.* Signs, other than navigational signs, shall not be allowed on the surface of the lake nor within 25 horizontal feet of the water edge at the 760-foot contour. Lighted signs shall have fixed, indirect or internal lighting. There shall be no off-site advertising signs placed or maintained so as to be visible from the lake.
 - (9) *Lighting.* Lighting, which offers navigational aid on Lake Norman, whether public or private, shall be approved by the Lake Norman Marine Commission prior to installation. When installed for purposes other than navigation, lighting shall not be moving or flashing nor colored in any manner, except a continuous nonflashing yellow light for insect control. Regardless of purpose, all lighting shall be of such intensity as not to cause night blindness for boat operators on the lake nor inhibit vision.
 - (10) *Overhead transmission lines.* Overhead power transmission and distribution lines and communications lines shall be constructed to a minimum height of 48 feet, at maximum deflection, above the 760-foot contour.
 - (11) *Swimming areas.* Public and private swimming areas shall not be defined in water beyond a depth of 15 feet nor more than 80 feet from the shoreline. Private swimming areas may be marked and protected in keeping with state wildlife commission regulations.
- (Code 1995, § 515.239(C); Ord. No. 2002-04, § C, 7-8-2002)